

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

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DEBRA R. MAGNETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

TONY EUGENE GRIMES, #148206

Petitioner,

vs.

3:05-cv-1226-F

KENNETH I. JONES, (warden), et al.,

Respondent.

MOTION TO CLARIFY

Pursuant applicable Rules, Statutes, Practices, or Procedures, the Petitioner moves to 'Clarify' the following facts:

1. Within the 28 U.S.C. §2254 [Habeas Corpus], petition filed with this Court under the case number : 3:05-cv-1226-F , the Petitioner presented the four (4) following Grounds/Claims :

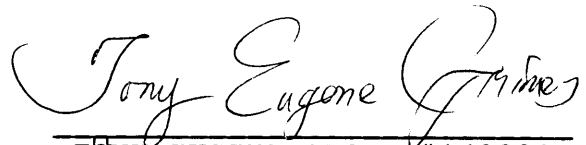
- [A]. VIOLATION OF BATSON v. KENTUCKY, 476 U.S. 79 (1986);
- [B]. RESPONDENT'S VIOLATION EX POST FACTO CLAUSE OF CONSTITUTION WITH APPLICABLE OF ALA.CODE §13A-5-9.1;
- [C]. RESPONDENT'S VIOLATION EQUAL PROTECTION CLAUSE WITH APPLICATION OF ALA.CODE §13A-5-9.1;
- [D]. RESPONDENT'S DENIAL OF SENTENCING HEARING, COUNSEL, PETITIONER'S RIGHT TO BE PRESENT & ALLOCUTION AFTER RETROACTED LAW RE-OPENED SENTENCING;

2. The Petitioner moves to 'Clarify' the facts in 1, supra., of this document due to the magistrate judge recommendation of January 9, 2006, only mentions three (3) of the four (4) Grounds raised in the Habeas petition.

WHEREFORE, premises considered, the Petitioner **PRAYS** this Honorable Court **GRANTS** the Motion 'Clarifying' the following facts.

CERTIFICATE OF SERVICE

I CERTIFY ON THE 8th OF FEBRUARY, 2006, I SERVED A COPY OF THE "CLARIFY MOTION" UPON THE COURT VIA U.S. MAIL FOR SERVICE TO THE RESPONDENTS.

A handwritten signature in cursive script that reads "Tony Eugene Grimes". The signature is written in black ink and is positioned above a horizontal line.

TONY EUGENE GRIMES#148206
100 warrior ln.
Bess., Al. 35023